

BROWN RAYSMAN

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

FACSIMILE COVER SHEET

RECEIVED
CENTRAL FAX CENTER
JUL 16 2004

From: Brooke W. Quist Date: July 16, 2004
Direct Dial: 310-712-8319 Client/Matter #: 10416/22

OFFICIAL

PLEASE DELIVER AS SOON AS POSSIBLE TO:

	Recipient	Company	Fax No.	Phone No.
1.	Art Unit 2831	USPTO	703-872-9318	

Total number of pages including this page: 12.
If you do not receive all the pages, please call (310) 712-8300.

Message:

Please see the attached correspondence for USSN 10/667,583.

Please Note: the information contained in this facsimile message is privileged and confidential, and is intended only for use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if any problems occur with transmission, please notify sender or the mail room by telephone: (310) 712-8300. Thank You.

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

1880 CENTURY PARK EAST SUITE 711 LOS ANGELES CA 90067 T 310 712-8300 F 310 712-8383
www.brownraysman.com

PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

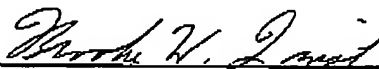
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on July 16, 2004.

Date



Signature

Brooke W. Quist

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Facsimile Cover Sheet;
Transmittal Form (PTO/SB/21);
Amendment and Response to Office Action

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/21 (04-04)

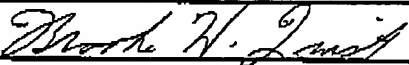
Approved for use through 07/31/2006, OMB 0651-0031

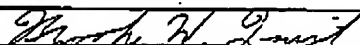
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/667,583
	Filing Date	09/22/2003
	First Named Inventor	Katsuhiko Hayashi
	Art Unit	2831
	Examiner Name	Ngo, Hung V.
Total Number of Pages in This Submission	Attorney Docket Number	10416/22

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet Certificate of Transmission
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brooke W. Quist
Signature	
Date	July 16, 2006

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Brooke W. Quist		
Signature		Date	July 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT
ATTORNEY DOCKET NO. 10416/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of: Katsuhiko Hayashi

Serial No.: 10/667,583

Examiner: Ngo, Hung V.

Filed: September 22, 2003

Group Art Unit: 2831

**RECEIVED
CENTRAL FAX CENTER**

JUL 16 2004

Title: SEMICONDUCTOR LASER METHOD OF PRODUCING SAME
AND EVANESCENT OPTICAL HEAD USING THE SAME

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

This amendment is responsive to the Office action of April 16, 2004, and is timely filed.

INTRODUCTORY COMMENTS

Claims 7-28 are pending in the present application; however, claims 7-8 and 24-28 have been withdrawn from consideration. Claims 9-10, 12-13, and 21-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Berndlmaier et al. (U.S. Patent No. 4,323,914). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Berndlmaier et al. (U.S. Patent No. 4,323,914) in view of Daves et al. (U.S. Patent No. 6,091,603). Claims 14-16 have been indicated by the Examiner to be directed towards allowable subject matter, and would be allowed if rewritten in independent form.

Claims 9, 12, 14, 15, and 17 have been amended. No new claims have been added. No claims have been deleted. Applicant respectfully contends that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.